IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1986 OF 2005

Zarir Rustom Joshi & Ors. ...Petitioners

Versus

Burzor Rustom Joshi & Ors. ...Respondents

.....

Mr. V.M. Parshurami with Mr. A.L. Patki, counsel for Petitioners

Mr. C.M. Mehta i/b M/s. Mehta & Co. counsel for Respondents.

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CORAM: B. H. MARLAPALLE, J.

DATED: 28TH APRIL, 2005

P. C.:-

1. Heard the learned counsel for the petitioners.

2. Perused the order passed by this Court in writ petition No. 7000 of 2004 dated 28.10.2004 directing the Joint Charity Commissioner to decide and dispose of the application No. 3 of 2002 preferably within a period of three months. It appears that subsequent application came to be filed on 28.11.2004 for reconsideration of the earlier orders passed on interim applications at Exh.20, 29, 42 and 49. It was further prayed to decide the preliminary issue as per the application dated 6.4.2004 at Exh.46. By the impugned order dated 24.2.2005, the learned Joint

Charity Commissioner has rejected the application.

3. The reasoning given by the learned Joint Charity Commissioner cannot be termed as perverse or manifestly erroneous so as to cause interference in a writ petition under Article 227 of the Constitution.

4. The writ petition is, therefore, rejected summarily.

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